

EXHIBIT “A”

EFiled: Dec 04 2021 02:35PM

Transaction ID 67143224



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

MICHELLE P. BOOTH,

Plaintiff,

v.

RANDOLPH BYRD and
SCHNEIDER NATIONAL
CARRIERS.

Defendants.

C.A. No.:

TRIAL BY JURY DEMANDED

THE STATE OF DELAWARE
SHERIFF OF NEW CASTLE COUNTY:
YOU ARE COMMANDED:

To summon the above named Defendant so that, within 20 days after service hereof upon Defendant, exclusive of the day of service, Defendant shall serve upon Brian S. Legum, Esquire, Plaintiff's attorney, whose address is 56 W. Main Street, Fourth Floor, Plaza 273, Christiana, DE 19702, an answer to complaint (and, if an affidavit of demand has been filed, an affidavit of defense).

To serve upon Defendants a copy hereof and of the complaint and of the affidavit of demand if any has been filed by Plaintiff).

12/17/21

[Signature]
Prothonotary
NEW CASTLE COUNTY

Prothonotary

[Signature]
Per Deputy

TO THE ABOVE NAMED DEFENDANT SCHNEIDER NATIONAL CARRIERS:

In case of your failure, within 20 days after service hereof upon you, exclusive of the day of service, to serve on Plaintiff's attorney named above an answer to the complaint (and, if an affidavit of demand has been filed, an affidavit of defense), judgment by default will be rendered against you for the relief demanded in the complaint (or in the affidavit of demand, if any).

[Signature]
Prothonotary
NEW CASTLE COUNTY

Prothonotary

[Signature]
Per Deputy

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SUPERIOR COURT CIVIL CASE INFORMATION STATEMENT

Case No. N21C-12-034 MMJ



COUNTY: (New Castle) Kent Sussex

CIVIL ACTION NUMBER: _____

CAPTION:

MICHELLE P. BOOTH,

Plaintiff,

v.

RANDOLPH BYRD and SCHNEIDER
NATIONAL CARRIERS,

Defendants.

Civil Case Code: CPIACivil Case Type: PERSONAL INJURY AUTOMandatory Non-Binding Arbitration: NoName and Status of Party filing document:
MICHELLE P. BOOTH, PLAINTIFF

Document Type:

PRAECIPE, SUMMONS, COMPLAINT, FORM 30
INTEROGATORIES, and RULE 3H STATEMENT.JURY DEMAND: X Yes NoATTORNEY NAME: Brian S. Legum, EsquireATTORNEY ID: 5920

FIRM NAME:

Kimmel, Carter, Roman, Peltz & O'Neill, P.A.

ADDRESS:

Plaza 27356 West Main Street, 4th FloorChristiana, Delaware 19702TELEPHONE NUMBER: (302) 565-6100FAX NUMBER: (302) 565-6101E-MAIL ADDRESS: blegum@kimmelcarter.com;IDENTIFY ANY RELATED CASES NOW
PENDING IN THE SUPERIOR COURT BY
CAPTION AND CIVIL ACTION NUMBER
INCLUDING JUDGE'S INITIALS:

EXPLAIN THE RELATIONSHIP:

OTHER UNUSUAL ISSUES THAT AFFECT
CASE MANAGEMENT:

THE PROTHONOTARY WILL NOT PROCESS THE COMPLAINT, ANSWER, OR FIRST RESPONSIVE PLEADING IN THIS MATTER FOR SERVICE UNTIL THE CASE INFORMATION STATEMENT (CIS) IS FILED. THE FAILURE TO FILE THIS CIS AND HAVE THE PLEADINGS PROCESSED FOR SERVICE MAY RESULT IN THE DISMISSAL OF THE COMPLAINT OR MAY RESULT IN THE ANSWER OR FIRST RESPONSIVE PLEADING BEING STRICKEN.

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Transaction ID 67143224

Case No. 2021-1201400 MJ



IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

MICHELLE P. BOOTH,

Plaintiff,

v.

RANDOLPH BYRD and
SCHNEIDER NATIONAL
CARRIERS,

Defendants.

C.A. No.:

TRIAL BY JURY DEMANDED

COMPLAINT

1. On Friday, December 9, 2019, at approximately 7:40 p.m., Michelle P. Booth (hereafter "Plaintiff") was operating her motor vehicle westbound on Naamans Road in Wilmington, New Castle County, Delaware, when Randolph Byrd (hereafter "Defendant Driver"), who was operating a Freightliner vehicle owned by Schneider National Carrier (hereafter "Defendant Owner") in a negligent and/or careless manner beside Plaintiff, entered Plaintiff's lane of travel and sideswiped Plaintiff, resulting in injuries and damages to Plaintiff.

2. The conduct of the Defendant Driver was negligent and/or careless in a manner which proximately caused the aforesaid accident in that he:

- a. Failed to keep a proper lookout;
- b. Failed to maintain proper control over the vehicle he was operating;

c. Operated his vehicle in a careless and/or inattentive manner in violation of 21 *Del. C.* §4176;

d. Operated his vehicle at an unsafe speed in violation of 21 *Del. C.* § 4168;

e. Failed to drive in a lane marked for traffic and moved from that lane before ascertaining that such movement could be made with safety in violation of 21 *Del. C.* § 4122; and

f. Was otherwise negligent as the discovery process will reveal.

3. The conduct of Defendant Driver is imputed to Defendant Owner since the former was operating the vehicle as the agent, servant, and/or employee of the latter and was pursuing the latter's business at the time of the aforesaid accident. The Defendant Owner must deny agency by affidavit, pursuant to 10 *Del. C.* § 3916

4. As a result of the aforesaid conduct of the Defendant, the Plaintiff sustained injuries to her neck, back, and other injuries, some or all of which may be permanent, pain and suffering, mental distress, and also sustained property damage to his vehicle.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, for her general and special damages, and other damages, including but not limited to other special damages, in an amount to be determined by a jury, plus costs and interest.

/s/ BRIAN S. LEGUM

BRIAN S. LEGUM, ESQUIRE

Bar ID: 5920

Kimmel, Carter, Roman, Peltz & O'Neill, P.A.

56 W Main Street, Suite 400

Plaza 273

Christiana, DE 19702

(302) 565-6100

Attorney for Plaintiff

Dated: December 4, 2021